.. IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE CIVIL JURISDICTION

WRIT PETITION NO.6411 OF 2004

Shri Hitendra Bhaskar Gadre
& Anr. .. Petitioners

Versus

The Head Master,
Vidya Vikas Mandir & Ors. .. Respondents

Mr.K.R.Jagdale for the petitioners

Mr.R.B.Jagtap with Mr.Arvind Purohit for respondent no.1 and 2

Mr.V.P.Malvankar, A.G.P. for respondent no.3

Mr.S.V.Pitre for for respondent no.4

CORAM: A.P.SHAH &
S.U.KAMDAR, JJ

DATED: 2ND SEPTEMBER, 2004

P.C.
Heard Advocates. By consent, petition is disposed of with the following order:

1. The Education Officer (Secondary) Zilla Parishad, Pune, is directed to consider and decide the claim of the petitioners to the B.Ed.Scale on the basis of inter se seniority within 8 weeks from today.

2. The claim of the respondent no.4 may also be considered on the basis of the seniority. It is however, made clear that the difference in the amount of salary paid to the respondent no.4 on the basis of B.Ed. scale shall not be recovered.

3. The Education Officer is directed to grant an opportunity of hearing to the petitioners and respondent no.1, 2 and 4.

4. The respondent no.3 Education Officer shall consider the vacancies arising as on 1-9-2004 while deciding the claim of seniority and grant of B.Ed. Scale.

5. Rest of the prayers in the Petition are not pressed by the petitioners.

6. The respondent no.1 and 2 are directed to forthwith pay to the petitioners entire salary from April, 2004.

7. The writ petition stands disposed of in the

above terms with no order as to costs.